IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

SHAWN C. BURGY, et al.,)	
Plaintiffs,)	
)	
v.)	Civil No. 3:06-0099
)	Judge Trauger
CITY OF MURFREESBORO POLICE, et al.,)	Magistrate Judge Griffin
)	
Defendants.)	

ORDER

On November 6, 2006, the Magistrate Judge issued a Report and Recommendation, recommending certain actions by this court. (Docket No. 49) No timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the Motion to Dismiss filed by defendants City of Murfreesboro, Murfreesboro Police Department and Sam Day (Docket No. 27) is **GRANTED**, and this case is **DISMISSED**. The Motion for Summary Judgment filed by the plaintiffs (Docket No. 32) is **DENIED**.

It is so **ORDERED**.

ENTER this 6th day of December 2006.

LETA A. TRAUGER U.S. District Judge